



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final Code Compliance Hearing

Thursday, August 25, 2022

1:30 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

You may also attend these meetings virtually via Zoom by telephoning +1 646-558-8656

Meeting ID: 831 2150 5797 Passcode: 300839 or Online at:

[https://cityofkeywest-fl-gov.zoom.us/j/83121505797?](https://cityofkeywest-fl-gov.zoom.us/j/83121505797?pwd=Z0Y1Vk1RUhN6UGt1bHJjU3kzNIJRUT09)

pwd=Z0Y1Vk1RUhN6UGt1bHJjU3kzNIJRUT09 Meeting ID: 831 2150 5797 Passcode: 300839

Call Meeting to Order

Code Violations

1

Case # 22-1140

LNSW LLC

322 Amelia Street

Sec. 26-126 Clearing of property of debris and noxious material required

Officer Sean Davis

Certified Mail: 8-11-2022

Initial Hearing: 8-25-2022

New Case

Count 1: Failure to clear property of debris, noxious material and high weeds.

The Code Officer was Sean Davis. The Respondent did not attend. Officer Davis read his timeline and evidence was shown. The Special Magistrate thought that there was substantial evidence for a finding of violation. The Special Magistrate imposed \$250.00 Administrative Cost and \$250.00 per count per day if not in compliance by 8 September 2022.

2

Case # 22-602

BLKW LLC

418 William Street

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business

Officer Sophia Doctoche

Hand Posted: 8-3-2022

Initial Hearing: 7-28-2022

In compliance as of 10 August 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 10 August 2022. The Special Magistrate granted the dismissal.

3

Case # 22-833

Le Nghia H.

Le Trinh N.

3930 S Roosevelt Blvd 302W

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business

Officer Sophia Doctoche

Certified Mail:

Initial Hearing: 8-25-2022

In compliance as of 14 July 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 14 July 2022. The Special Magistrate granted the dismissal.

4

Case # 22-956

Roman Nedbal

1609 Trinidad Drive

Sec. 90-363 Certificate of occupancy- required

Sec. 58-61 Determination and levy of charge

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business

Officer Sophia Docotche
Certified Mail: **Amended Notice**
Initial Hearing: 8-25-2022

New Case

Count 1: Failure to apply and obtain a certificate of occupancy with the City of Key West Building Department.

Count 2: Failure to apply and obtain a legal unit determination with the City of Key West Planning Department.

Count 3: Failure to apply and obtain the required building permits from the City of Key West Building Department.

Count 4: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

The Code Officer was Sophia Doctoche. The Respondent did not attend. Officer Doctoche stated the City would like a continuance due to not achieving good service. The Special Magistrate granted the continuance to 29 September 2022.

5

Case # 22-978

Musmanno Victor H II Trust
3930 S Roosevelt Blvd 312E
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 8-17-2022
Initial Hearing: 8-25-2022

In compliance as of 12 August 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 12 August 2022. The Special Magistrate granted the dismissal.

6

Case # 22-980

Laura A Hamrlicek
3930 S Roosevelt Blvd 402E
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business.
Officer Sophia Doctoche
Certified Mail: 8-8-2022
Initial Hearing: 8-25-2022

In compliance as of 24 August 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 24 August 2022. The Special Magistrate granted the dismissal.

7

Case # 22-994

John H & Michelle Anderson
3930 S Roosevelt Blvd 201N
Sec. 66-87 Business tax required for all holding themselves out to be engaged in business
Officer Sophia Docotche
Certified Mail: 8-8-2022
Initial Hearing: 8-25-2022

In compliance as of 9 August 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 9 August 2022. The Special Magistrate granted the dismissal.

8

Case # 22-998

Lara L Fox
1417 Pine Street
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations (D)(9)
Officer Sophia Doctoche
Certified Mail:
Initial Hearing: 8-25-2022

In compliance as of 9 August 2022; Request dismissal

Count 1-10: Failure to apply and obtain a transient license with the City of Key West Licensing Department.

Count 11-13: Failure to obtain all required city, county and state licensing to advertise and rent short term.

Count 14-23: Failure to obtain all required city, county and state

licensing to advertise and rent short term.

This case came into compliance as of 9 August 2022. The Special Magistrate granted the dismissal.

9

Case # 22-1018

James C. & Susan F. Tutt
1800 Atlantic Blvd 137C
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 8-10-2022
Initial Hearing: 8-25-2022

In compliance as of 24 August 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 24 August 2022. The Special Magistrate granted the dismissal.

10

Case # 22-1058

Walter F. Yext
1800 Atlantic Blvd 115B
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 8-22-2022
Initial Hearing: 8-25-2022

New Case

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

The Code Officer was Sophia Doctoche. The Respondent did not attend. Officer Doctoche read her timeline and evidence was shown. Officer Doctoche stated that the City will be seeking a finding of violation with \$250.00 Administrative Cost and \$250.00 per count per day until the Respondent obtains a license. The Special Magistrate imposed \$250.00 Administrative Cost and \$250.00 per violation per day starting 25 August 2022.

11

Case # 22-645

Key West Home Improvement Inc

Jose Barrios
2C 9th Ave
Sec. 18-150 Certificate of competency required
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Paul Navarro
Hand Served: 8-8-2022
Initial Hearing: 8-25-2022

Settlement Agreement

Count 1: Failure to complete contractors exam board to be a certified contractor.

Count 2: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

This case has a Settlement Agreement of \$250.00 Administrative Cost and a \$250.00 fine, for a total of \$500.00. The Settlement Agreement was signed by all parties and the Special Magistrate executed the agreement.

12

Case # 22-782

Robert & Rhonda Saunders
1013 Packer Street
Sec. 62-2 Obstructions
Sec. 58-31 Container and receptacle requirements
Officer Paul Navarro
Certified Mail: 8-2-2022
Initial Hearing: 8-25-2022

New Case

Count 1: Failure to remove trash bins from City right of way.

Count 2: Failure to remove trash bins from City right of way.

The Code Officer was Paul Navarro. The Respondent Robert Saunders was present. Officer Navarro read his timeline and evidence was shown. Officer Navarro stated that the Respondent is not in compliance due to one planter being in the right of way and the second count the City is requesting to dismiss as they are in compliance with count 2. The Special Magistrate granted a dismissal for count 2. The Respondent stated that what was recorded on the agenda and the City data base is that the violations found were about trash bins and a bike rack in the right of way which have been remedied with no mention of removing plants. The Respondent also stated that if the plants in the right of way are a problem they will move them. The Respondent has failed to move one plant because he simply can not move it and the neighbors wont allow him to use their property to bring the plant to the backyard. The

Special Magistrate stated that there was an admission to the violation for plants being in the right of way and asked the Respondent how long will it take him to move the plant and be in compliance. The Respondent answered with 24 hours. The Special Magistrate explained to the Respondent that since he was representing himself he is being charged with knowing the Ordinance Sec. 62-2 Obstructions and to not pay attention to what count 1 says on the agenda. The Special Magistrate explained that there has been an admission to the violation and imposed \$250.00 Administrative Cost and \$250.00 fine per count per day with a compliance date of 31 August 2022.

13

Case # 22-931

Di Giuseppe Alicia Lin
1011 Packer Street
Sec. 62-2 Obstructions
Sec. 58-31 Container and receptacle requirements
Officer Paul Navarro
Hand Posted: 8-18-2022
Initial Hearing: 8-25-2022

In compliance as of 18 August 2022; Request dismissal**Count 1:** Failure to remove trash bins from City right of way.**Count 2:** Failure to remove trash bins from City right of way.

This case came into compliance as of 18 August 2022. The Special Magistrate granted the dismissal.

14

Case # 22-932

Kyle A. Turk
1009 Packer Street
Sec. 58-31 Container and receptacle requirements
Officer Paul Navarro
Certified Mail: 8-8-2022
Initial Hearing: 8-25-2022

In compliance as of 18 August 2022; Request dismissal**Count 1:** Failure to remove trash bins from City right of way.

This case came into compliance as of 18 August 2022. The Special Magistrate granted the dismissal.

15

Case # 22-1150

Key West Home Improvement Inc.
Jose Barrios
1401 Atlantic Blvd

Sec. 18-150 Certificate of competency required
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Paul Navarro
Hand Served: 8-8-2022
Initial Hearing: 8-25-2022

Settlement Agreement

Count 1: Failure to complete contractors exam board to be a certified contractor.

Count 2: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

This case has a Settlement Agreement of \$250.00 Administrative Cost and a \$250.00 fine, for a total of \$500.00. The Settlement Agreement was signed by all parties and the Special Magistrate granted the dismissal.

16

Case # 21-1329

Love In Key West LLC
Stocker Marsha Evans Law
407 Front Street 4 D
Sec. 58-68 Commercial solid waste accounts
Officer Laurie Skinner
Certified Mail:
Initial Hearing: 7-28-2022

In compliance as of 17 August 2022; Request dismissal

Count 1: Failure to contact Waste Management for a commercial waste account.

This case came into compliance as of 17 August 2022. The Special Magistrate granted the dismissal.

17

Case # 22-831

Borders Nidia F Revocable Trust 4/26/2020
1415 1st Street
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Sec. 14-359 Permit display
Sec. 14-262 Request for inspection
Sec. 58-61 Determination and levy of charge
Sec. 90-363 Certificate of occupancy-Required

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
 Officer Leo Slecton
 Certified Mail: 6-30-2022- **Amended Notice**
 Initial Hearing: 7-28-2022

Continued from 28 July 2022

- Count 1:** Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.
- Count 2:** Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.
- Count 3:** Failure to schedule an inspection for all work that has been completed.
- Count 4:** Failure to apply and obtain a LUD with the City of Key West Planning Department.
- Count 5:** Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.
- Count 6:** Failure to apply and obtain a business tax receipt from the City of Key West Licensing Department.

The Code Officer was Leo Slecton. The Respondent did not attend. Officer Slecton stated that the City would like to continue the case due to needing to acquire a new Special Magistrate to hear the case. The Special Magistrate granted the continuance to 29 September 2022.

18

Case # 22-909

Dan Serban
 1125 Margaret Street
 Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
 Officer Leo Slecton
 Certified Mail: 8-15-2022
 Initial Hearing: 8-25-2022

Continuance granted to 29 September 2022

Count 1: Failure to apply and obtain the required building permits from the City of Key West Building Department.

This case was previously granted a continuance to 29 September 2022.

19

Case # 22-1086

Jerimiah Scott
 1608 Catherine Street

Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations (D)(9)
Officer Leo Slecton
Hand Posted: 8-11-2022- **Amended Notice**
Initial Hearing: 8-25-2022

In compliance as of 19 August 2022; Request dismissal

Count 1-7: Failure to apply and obtain a transient license with the City of Key West Licensing Department.

Count 8-10: Failure to obtain all required city, county and state licensing to advertise and rent short term.

Count 11-17: Failure to obtain all required city, county and state licensing to advertise and rent short term.

This case came into compliance as of 19 August 2022. The Special Magistrate granted the dismissal.

20

Case # 22-1119

Sara Dascott
905 16th Terrace
Sec. 66-87 Business tax receipt for all holding themselves out to be engaged in business
Officer Leo Slecton
Certified Mail:
Initial Hearing: 8-25-2022

In compliance as of 27 July 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 27 July 2022. The Special Magistrate granted the dismissal.

21

Case # 19-1465

Robert B & Victory Walsh
810 Terry Lane
Sec. 62-2 Obstructions
Officer Jim Young
Certified Mail: 7-18-2022
Initial Hearing: 7-28-2022

Continued from 28 July 2022

Count 1: Failure to remove pavers from the City's right of way or obtain an easement from the City of Key West Engineering Department.

The Code Officer was Jim Young. The Respondents did not attend. Director Young stated that the City would be asking for a continuance. The Special Magistrate granted the continuance to 29 September 2022.

22

Case # 19-1468

Nancy A. Paulic Revocable Trust 8/11/2015
812 Terry Lane
Sec. 62-2 Obstructions
Officer Jim Young
Certified Mail: 6-28-2022
Initial Hearing: 7-28-2022

Continued from 28 July 2022

Count 1: Failure to remove pavers from the City's right of way or obtain an easement from the City of Key West Engineering Department.

The Code Officer was Jim Young. The Respondent did not attend. Director Young stated that the City would be asking for a continuance. The Special Magistrate granted the continuance to 29 September 2022.

Adjournment